

APPLICATION FOR INITIATIVE OR REFERENDUM PETITION SERIAL NUMBER


Secretary of State
1700 W. Washington, 7th Floor
Phoenix, AZ 85007

The undersigned intends to circulate and file an INITIATIVE or a REFERENDUM (circle the appropriate word) petition and hereby makes application for the issuance of an official serial number to be printed in the lower right-hand corner of each side of each signature sheet of such petition. Pursuant to Arizona Revised Statutes § 19-111, attached hereto is the full text, in no less than eight point type, of the MEASURE or CONSTITUTIONAL AMENDMENT (circle appropriate word) intended to be INITIATED or REFERRED (circle appropriate word) at the next general election.

SUMMARY: A description of no more than one hundred words of the principal provisions of the proposed law, constitutional amendment or measure that will appear in no less than eight point type on the face of each petition signature sheet to be circulated.

Attached.

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Signature of Applicant

Cheryl Naumann
Printed Name of Applicant

1521 W. Dobbins Rd.
Address

Phoenix AZ 85041
City State Zip

602 997-7586
Telephone Number

Date of Application Oct. 6, 2005

Signatures Required 122, 612

Deadline for Filing July 6, 2006

Serial Number Issued I-07-2006

FOR OFFICE USE ONLY 2006-02729

Arizonans for Humane Farms
Name of Organization (if any)

Po Box 3075
Address

Tempe AZ 85280
City State Zip

480 449-7644
Telephone Number

Cheryl Naumann, Chair
Name of Officer and Title

1521 W. Dobbins Rd
Address

Phoenix AZ 85041
City State Zip

602 997-7586
Telephone Number

Scott Peltz, Treasurer
Name of Officer and Title

5900 E. Sapphire Lane
Address

Paradise Valley, AZ 85283
City State Zip

480 607 6638
Telephone Number

Humane Treatment of Farm Animals Act

Arizona citizens are concerned about the cruel and inhumane treatment of animals; the Humane Treatment of Farm Animals Act, recommended by the Arizona Humane Society and The Humane Society of the United States, requires that pigs during pregnancy and calves raised for veal must be given sufficient space to turn around, lie down, and fully extend their limbs, when tethered, or confined in crates, cages, or other enclosures; includes exceptions, such as for veterinary purposes and during the pig's prebirthing period; the Act allows six years to adopt more humane practices and does not require mandatory expenditure of state revenues.

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OFFICIAL TITLE

AN INITIATIVE MEASURE

PROPOSING AMENDMENT TO TITLE 13, CHAPTER 29, ARIZONA REVISED STATUTES BY ADDING SECTION 13-2910.07; RELATING TO CRUEL AND INHUMANE CONFINEMENT OF ANIMALS.

TEXT OF PROPOSED MEASURE

Be it enacted by the People of the State of Arizona:

Sec. 1. Title

This measure shall be known as the Humane Treatment of Farm Animals Act.

Sec. 2. Title 13, Chapter 29 is amended by adding a new section 13-2910.07 as follows: 13-2910.07. CRUEL AND INHUMANE CONFINEMENT OF A PIG DURING PREGNANCY OR OF A CALF RAISED FOR VEAL

A. NOTWITHSTANDING ANY OTHER PROVISION OF TITLE 3 OR TITLE 13, A PERSON SHALL NOT TETHER OR CONFINED ANY PIG DURING PREGNANCY OR ANY CALF RAISED FOR VEAL, ON A FARM, FOR ALL OR THE MAJORITY OF ANY DAY, IN A MANNER THAT PREVENTS SUCH ANIMAL FROM:

1. LYING DOWN AND FULLY EXTENDING HIS OR HER LIMBS; OR
2. TURNING AROUND FREELY.

B. THIS SECTION SHALL NOT APPLY TO:

1. PIGS OR CALVES DURING TRANSPORTATION.
2. PIGS OR CALVES IN RODEO EXHIBITIONS, STATE OR COUNTY FAIR EXHIBITIONS, OR OTHER SIMILAR EXHIBITIONS.
3. THE KILLING OF PIGS OR CALVES ACCORDING TO THE PROVISIONS OF CHAPTER 13, TITLE 3 AND OTHER APPLICABLE LAW AND REGULATIONS.
4. PIGS OR CALVES INVOLVED IN LAWFUL SCIENTIFIC OR AGRICULTURAL RESEARCH.
5. PIGS OR CALVES WHILE UNDERGOING AN EXAMINATION, TEST, TREATMENT OR OPERATION FOR VETERINARY PURPOSES.
6. A PIG DURING THE SEVEN DAY PERIOD PRIOR TO THE PIG'S EXPECTED DATE OF GIVING BIRTH.

C. A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A CLASS 1 MISDEMEANOR.

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D. THE FOLLOWING DEFINITIONS SHALL GOVERN THIS SECTION:

1. "CALF" MEANS A CALF OF THE BOVINE SPECIES.
2. "CALF RAISED FOR VEAL" MEANS A CALF RAISED WITH THE INTENT OF SELLING, MARKETING OR DISTRIBUTING THE MEAT, ORGANS OR ANY PART OF SUCH CALF AS A FOOD PRODUCT DESCRIBED AS "VEAL."
3. "FARM" MEANS THE LAND, BUILDINGS, SUPPORT FACILITIES, AND OTHER EQUIPMENT THAT IS WHOLLY OR PARTIALLY USED FOR THE PRODUCTION OF ANIMALS FOR FOOD OR FIBER.
4. "PIG" MEANS ANY ANIMAL OF THE PORCINE SPECIES.
5. "TURNING AROUND FREELY" MEANS HAVING THE ABILITY TO TURN AROUND IN A COMPLETE CIRCLE WITHOUT ANY IMPEDIMENT, INCLUDING A TETHER, OR, IN THE CASE OF AN ENCLOSURE (INCLUDING WHAT IS COMMONLY DESCRIBED AS A "GESTATION CRATE" FOR PIGS AND A "VEAL CRATE" FOR CALVES) WITHOUT TOUCHING ANY SIDE OF THE ENCLOSURE.

Sec. 3. Effective Date

This initiative measure shall take effect December 31, 2012.

Sec. 4. Severability

Each section, subsection, sentence, clause, phrase or other portion of this initiative measure as adopted shall be deemed to be a separate, distinct and independent provision. If any portion thereof is held invalid or unconstitutional for any reason by any court of competent jurisdiction, the holding shall not affect the validity or constitutionality of any other portion of this initiative measure, which can be given effect without the invalid provision. To this end, the provisions of this initiative measure are declared to be severable.

Sec. 5. No Mandatory Expenditures

Nothing in this initiative measure proposes a mandatory expenditure of state revenues for any purpose, establishes a fund for any specific purpose, or allocates funding for any specific purpose.

Sec. 6. Conditional Funding Source

Subject to Section 7 of this initiative measure, Title 13, Chapter 29 is amended by adding a new section 13-2910.08 as follows:

13-2910.08. THE HUMANE TREATMENT OF FARM ANIMALS FUND

THE "HUMANE TREATMENT OF FARM ANIMALS FUND" IS HEREBY ESTABLISHED TO BE ADMINISTERED BY THE ATTORNEY GENERAL UNDER THE CONDITIONS AND FOR THE PURPOSES PROVIDED BY THIS SECTION. UPON RECEIPT, THE ATTORNEY GENERAL SHALL DEPOSIT IN THE FUND ANY MONIES RECEIVED FOR THE STATE AS A RESULT OF ENFORCEMENT OF THE HUMANE TREATMENT OF FARM ANIMALS ACT AND ANY MONIES RECEIVED BY THE ATTORNEY GENERAL AS A MONEY DONATION TO THE

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FUND FROM ANY PUBLIC OR PRIVATE GROUP, SOCIETY, ASSOCIATION OR INDIVIDUAL. THE MONIES IN THE FUND SHALL BE USED ONLY FOR MANDATORY EXPENDITURES, IF ANY, REQUIRED BY THE HUMANE TREATMENT OF FARM ANIMALS ACT AND ADMINISTRATION OF THE FUND. MONIES IN THE FUND ARE NOT SUBJECT TO LEGISLATIVE APPROPRIATION. THE FUND IS EXEMPT FROM STATUTORY PROVISIONS RELATING TO LAPSING OF APPROPRIATIONS AND SHALL NOT REVERT TO THE GENERAL FUND.

Sec. 7. Conditional Enactment

Section 13-2910.08 does not become effective unless a court of competent jurisdiction holds that section 13-2910.07 proposes a mandatory expenditure of state revenues for any purpose, establishes a fund for any specific purpose, or allocates funding for any specific purpose.

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JAN BREWER
SECRETARY OF STATE
STATE OF ARIZONA

RECEIPT

The Arizona Secretary of State has completed her duties in accordance with Arizona Revised Statutes § 19.121.01(A). **Arizonans for Humane Farms**, has filed a total of 18,657 petition signature sheets containing 216,163 signatures to initiative petition serial number I-07-2006, which are eligible for verification. This receipt does not constitute an acknowledgement or determination by the Secretary of State that any of those signature sheets are in compliance with legal requirements for placing a measure on the November 7, 2006 General Election ballot. That determination can only be made after the Secretary of State and the County Recorders have performed their duties with respect to initiative petitions as required by law.

Dated this 27th Day of July, 2006.


JANICE K. BREWER
Secretary of State

**Sheets Removed from I-07-2006
By the Secretary of State's Office during processing of petitions**

Reasons for Removal	Sheets	Signatures
Notary incomplete or missing or notary expired	122	1,473
Affidavit of Circulator incomplete or missing	30	366
Paid or Volunteer circulator not marked	12	145
Signatures obtained before application filed	4	24
Attached text incomplete or missing	6	64
All signatures on sheet would have been removed for missing information	9	49
TOTAL	183	2,121



JAN BREWER
SECRETARY OF STATE
STATE OF ARIZONA

August 31, 2006

The Honorable Janet Napolitano
Office of the Governor
1700 West Washington Street,
Phoenix, Arizona 85007

Dear Governor Napolitano:

You are hereby notified, pursuant to Arizona Revised Statutes § 19-121.04(B), that the initiative measure I-07-2006, Arizonans for Humane Farms has met the signature requirements for placement on the November 7, 2006 General Election Ballot as Proposition 204.

Enclosed is the final tabulation of the random sampling and a copy of the official receipt.

Sincerely,


JANICE K. BREWER
Secretary of State

Enclosures



JAN BREWER
SECRETARY OF STATE
STATE OF ARIZONA

TO: Cheryl Naumann
Arizonans for Humane Farms
P.O. Box 3075
Tempe, AZ 85280

Having completed the requirements of A.R.S. § 19-121.04, I, Janice K. Brewer, Secretary of State, hereby certify that:

183 signature pages bearing 2,121 signatures for initiative petition serial number I-07-2006 have been refused for filing in this office because the person circulating was a county recorder or justice of the peace at the time of circulating the petition or due to defects in the circulator's affidavit. A total of 1,490 signatures included on the remaining petition sheets were found to be ineligible. Of the total random sample of 10,809 signatures, a total of 1,883 signatures were invalidated by the county recorders resulting in a failure rate of 17.42 per cent. The actual number of remaining signatures for such initiative petition number I-07-2006 are equal to or in excess of the minimum required by the constitution to place a measure on the general election ballot. The number of valid signatures filed with this petition, based on the random sample, appears to be at least one hundred five per cent of the minimum required or through examination of each signature has been certified to be greater than the minimum required by the constitution.



IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Arizona. Done at the Capitol in Phoenix, this 31st day of August, 2006.

Janice K. Brewer

JANICE K. BREWER
Secretary of State

INITIATIVE AND REFERENDUM PETITIONS

Minimum Signature Requirement	<u>122,612</u>	95%	<u>116,482</u>	105%	<u>128,743</u>
Number of Signatures Submitted to Secretary of State					<u>219,774</u>
Number of Petition Sheets Removed by the Secretary of State According to A.R.S. §§ 19-121.01(A)(1) & 19-102(C)					<u>183</u>
Number of Signatures on those sheets					<u>2,121</u>
Number of Signatures Removed by the Secretary of State According to A.R.S. §19-121.01(A)(2)(3)					<u>1,490</u>
Total Signatures Removed by the Secretary of State					<u>3,611</u>
Number of Petition Sheets that Contain Signatures Eligible for Verification					<u>18,657</u>
Number of Signatures Eligible for Verification:			<u>216,163</u>		
5% of that Number			<u>10,809</u>		

**Determination of Valid Signatures
CALCULATION - A.R.S. § 19-121.04(A)
Random Sample Validity Rate**

Total Invalid Random Signatures	divided by	Total Random Signatures	
<u>1,883</u>	divided by	<u>10,809</u>	= <u>17.42%</u>
Number of signatures eligible for Verification			<u>216,163</u>
Subtract Signatures found ineligible by County Recorder, but not included in random			-- <u>0</u>
Subtotal			<u>216,163</u>
Multiply Random sample Invalidity Rate by Subtotal to Determine like number			
Subtotal	<u>216,163</u> times	<u>0.1742</u>	= <u>37,656</u>
Subtract the resulting number from Subtotal			-- <u>37,656</u>
TOTAL VALID SIGNATURES			<u>178,507</u>
TOTAL PERCENTAGE OF VALID SIGNATURES			
Total valid signatures divided by Minimum Signature Requirement			<u>145.5869%</u>

**SECRETARY OF STATE'S OFFICE
DETERMINATION OF VALID SIGNATURES**